

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

X

THE ANNUITY, WELFARE, APPRENTICESHIP SKILL IMPROVEMENT & SAFETY FUNDS of the INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 15, 15A, 15C and 15D, AFL-CIO by its TRUSTEES JAMES T. CALLAHAN, LYNN A. MOURLY, ROBERT SHAW and RUSSELL SHAW, and JOHN and JANE DOL, as Beneficiaries of the ANNUITY, WELFARE, APPRENTICESHIP SKILL IMPROVEMENT & SAFETY FUNDS of the INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 15, 15A, 15C and 15D, AFL-CIO,

**DEFAULT JUDGMENT**

67-CIV-9906 (TPG)

USDC SDNY
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ELECTRONICALLY FILED
DOC #:
DATE FILED: <u>4/2/08</u>

Plaintiffs,

-against-

MODERN CONTINENTAL CONSTRUCTION CO., INC.,

Defendant.

X

This action having been commenced on November 9, 2007 by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having been personally served on the Defendant MODERN CONTINENTAL CONSTRUCTION CO., INC. on December 4, 2007, by a Process Server, personal service upon Brian Conlan, the managing agent for Defendant MODERN CONTINENTAL CONSTRUCTION CO., INC., and proof of service having been filed on December 14, 2007 through the ECF System, and the Defendant not having answered the Complaint, and the time for answering the Complaint having expired, it is,

**ORDERED, ADJUDGED AND DECREED:** That the Plaintiffs have judgment against Defendant MODERN CONTINENTAL CONSTRUCTION CO., INC. in the principal amount of \$73,687.03, with interest at 7.5% as prescribed by the Plan from August 1, 2006 through January 29, 2008 in the amount of \$8,290.00 and statutory damages in the amount of \$8,290.00, together

with the costs and disbursements of this action in the amount of \$405.00 and attorneys' fees in the amount of \$1,638.75, for a total liquidated amount of \$92,310.78, and it is further

**ORDERED** that the Judgment rendered by the Court on this day in favor of the Plaintiffs be entered as a final judgment against Defendant MODERN CONTINENTAL CONSTRUCTION CO., INC., and the Clerk of the Court is directed to enter such Judgment forthwith.

Dated, New York, New York

February 2008

*April 2, 2008*

**SO ORDERED:**

*Thomas P. Griesa*

Thomas P. Griesa, U.S.D.J.